

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

In re:) Chapter 11
)
FORESIGHT ENERGY LP, *et al.*,) Case No. 20-41308-659
)
Debtors.¹) (Joint Administration Requested)
)
) Hearing Date: March 11, 2020
) Hearing Time: 10:00 a.m. (Central Time)
) Hearing Location: Courtroom 7 North

**DEBTORS' MOTION FOR ENTRY OF INTERIM AND FINAL
ORDERS (A) AUTHORIZING DEBTORS TO CONTINUE AND RENEW
SURETY BOND PROGRAM AND (B) GRANTING RELATED RELIEF**

Foresight Energy LP and its affiliated debtors and debtors in possession in the above-captioned cases (collectively, the “Debtors”) respectfully state as follows in support of this motion (this “Motion”):

Relief Requested

1. By this Motion, the Debtors seek entry of interim and final orders (the “Proposed Orders”),² pursuant to sections 105(a), 363, 364, and 503 of title 11 of the United States Code (the “Bankruptcy Code”) and Rules 6003 and 6004 of the Federal Rules of

¹ The Debtors in these cases are each incorporated or organized in the state of Delaware, and along with the last four digits of each Debtor’s federal tax identification number (or SEC filing number if unavailable), are: Foresight Energy LP (8894); Foresight Energy GP LLC (8332); Foresight Energy LLC (7685); Foresight Energy Employee Services Corporation (7023); Foresight Energy Services LLC (6204); Foresight Receivables LLC (2250); Sugar Camp Energy, LLC (8049); Macoupin Energy LLC (9005); Williamson Energy, LLC (9143); Foresight Coal Sales LLC (8620); Tanner Energy LLC (0409); Sitran LLC (9962); Seneca Rebuild LLC (0958); Oeneus LLC (6007); Adena Resources, LLC (4649); Hillsboro Transport LLC (6881); American Century Transport LLC (SEC No. 5786); Akin Energy LLC (1648); American Century Mineral LLC (SEC No. 5788); Foresight Energy Finance Corporation (5321); Foresight Energy Labor LLC (4176); Viking Mining LLC (4981); M-Class Mining, LLC (5272); MaRyan Mining LLC (7085); Mach Mining, LLC (4826); Logan Mining LLC (2361); LD Labor Company LLC (8454); Coal Field Repair Services LLC (9179); Coal Field Construction Company LLC (5694); Hillsboro Energy LLC (1639); and Patton Mining LLC (7251). The address of the Debtors’ corporate headquarters is One Metropolitan Square, 211 North Broadway, Suite 2600, St. Louis, Missouri 63102.

² Copies of the Proposed Orders will be made available on the Debtors’ case information website at: <http://cases.primeclerk.com/foresightenergy>.

Bankruptcy Procedure (the “Bankruptcy Rules”), (a) authorizing the Debtors to maintain, continue, and renew, in their sole discretion, their Surety Bond Program (as defined herein) and to pay any obligations related thereto, including the provision of additional collateral in an amount not to exceed \$2 million, all in the ordinary course of business and consistent with past practices in effect before the Petition Date and (b) granting related relief.

Jurisdiction and Venue

2. This Court has jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334 and Rule 9.01(B) of the Local Rules of the United States District Court for the Eastern District of Missouri. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409. This matter is a core proceeding pursuant to 28 U.S.C. §157(b).

3. The statutory and legal predicates for the relief requested herein are sections 105(a), 363, 364, and 503 of the Bankruptcy Code and Bankruptcy Rules 6003 and 6004.

Background

4. On the date hereof (the “Petition Date”), each of the Debtors filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code. The Debtors are a leading producer of thermal coal, with four mining complexes and nearly 2.1 billion tons of proven and probable coal reserves strategically located near multiple rail and river transportation access points in the Illinois Basin. The Debtors also own a barge-loading river terminal on the Ohio River. From this strategic position, the Debtors sell their coal primarily to electric utility and industrial companies located in the eastern half of the United States and across the international market.

5. The Debtors continue to manage and operate their businesses as debtors in possession under sections 1107 and 1108 of the Bankruptcy Code. Contemporaneously herewith, the Debtors filed a motion requesting joint administration of these chapter 11 cases pursuant to Bankruptcy Rule 1015(b). No trustee, examiner or official committee has been appointed in these chapter 11 cases.

6. Information regarding the Debtors' businesses, their capital and debt structure, the events leading to the filing of these cases, and the terms and structure of the proposed restructuring transaction is set forth in the *Declaration of Robert D. Moore, President and Chief Executive Officer of Foresight Energy LP, in Support of Chapter 11 Petitions* (the "Moore Declaration"), the *Declaration of Alan Boyko, Senior Managing Director of FTI Consulting, Inc., in Support of Chapter 11 Petitions and First Day Relief* (the "Boyko Declaration"), and the declaration of Seth Herman in support of the Debtors' motion for approval of debtor-in-possession financing and use of cash collateral (the "Herman Declaration," and together with the Moore Declaration and Boyko Declaration, the "First Day Declarations"),³ each filed contemporaneously herewith.

The Debtors' Surety Bond Program

7. In the ordinary course of their businesses, the Debtors are required, pursuant to federal, state, and local law, to provide surety bonds (the "Surety Bonds," and their usage, the "Surety Bond Program") to third parties, generally governmental authorities, to secure the Debtors' payment or performance of certain other obligations, including present and future coal mine operations, coal transportation, mine reclamation and mine closure obligations, and other performance commitments. Failure to provide, maintain, and timely renew or replace these

³ The First Day Declarations are being filed in support of this Motion and are incorporated herein by reference. Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the First Day Declarations.

surety bonds would jeopardize the Debtors' ability to undertake their mining operations, which are essential to the Debtors' business operations, and may risk additional liability under applicable law. The beneficiaries of these surety bonds (the "Obligees"), their issuers (the "Issuers"),⁴ their identification or policy numbers, and the total bond coverage amounts are set forth on **Exhibit A** attached hereto and are incorporated herein by reference.⁵

A. Surety Bonds

8. The Surety Bonds issued on behalf of the Debtors are required to maintain compliance with federal, state, and local law, rules, and regulations and are crucial to the Debtors' ability to conduct required ordinary course business operations such as mine operation, closure, and reclamation efforts. For instance, the federal Surface Mining Control and Reclamation Act (the "SMCRA"), 30 U.S.C. § 1201 *et seq.*, and other applicable state statutes require the Debtors to post surety bonds to ensure funds are available to pay the Debtors' reclamation, subsidence, and related obligations. Without posting such bonds, the relevant government agency will not authorize or otherwise issue a permit allowing the Debtors to conduct their mining operations on a particular property. Accordingly, without providing, maintaining, or timely replacing the Surety Bonds, the Debtors cannot operate their businesses.⁶

⁴ As of the Petition Date, all of the Surety Bonds (except for double-bonded obligations indicated herein) have been issued by Indemnity National Insurance Co. ("INIC"), as rewritten to INIC from Argonaut Insurance Company ("Argonaut") as of December 10, 2019. There is a limited number of remaining Argonaut Surety Bonds that have not yet expired, which cover certain obligations already covered by new INIC Surety Bonds. For the avoidance of doubt, the Debtors request authority under this Motion with respect to these Argonaut Surety Bonds as well.

⁵ The inadvertent omission of any particular Surety Bond on **Exhibit A** shall not operate to exclude such Surety Bond from the coverage of this Motion or the Court's order entered in connection with this Motion.

⁶ These Surety Bonds also include an appeals bond, which is included on the schedule of Surety Bonds in **Exhibit A** and, for the avoidance of doubt, is included within the Debtors' Surety Bond Program as necessary for their ordinary course operations. In addition, this appeals bond is currently double-bonded, with the second bond still relating back to Argonaut. The Debtors are currently in the process of having this Argonaut appeals bond released by the appropriate court, and have included it in **Exhibit A** for the avoidance of doubt.

9. As of the Petition Date, the Debtors had approximately \$99.8 million in outstanding Surety Bonds. None of these Surety Bonds are self-bonded, and many of the Obligees generally discourage or have strict limitations on self-bonding. As such, it is unlikely that the Obligees would accept forms of self-bonding as replacements for the Surety Bonds, and the Debtors do not intend to engage in any form of self-bonding during these chapter 11 cases.

10. The premiums for the Surety Bonds (the “Surety Bond Obligations”) are determined annually and are paid by the Debtors at inception and quarterly thereafter. These Surety Bond Obligations are generally paid to the Debtors’ Surety Broker (as defined herein), who then remits the payments to the appropriate Issuers. The Debtors currently pay approximately \$2.5 million in annual Surety Bond Obligations, with approximately \$625,000 of that amount becoming due and payable on a quarterly basis. The majority of the Debtors’ next quarterly payment will become due and payable during the second week of March 2020.

11. To provide the financial assurances necessary to continue their business operations during these chapter 11 cases, the Debtors must maintain the existing Surety Bond Program and may need additional bonding capacity not currently provided by the Surety Bond Program. By this Motion, the Debtors request authority to continue their Surety Bond Program in the ordinary course of business and consistent with past practices, and to pay any Surety Bond Obligations in accordance therewith.

B. Indemnity Agreements

12. As is customary, the Debtors have entered into indemnity agreements with the Issuers with respect to the Surety Bonds (collectively, the “Indemnity Agreements”) to induce the Issuers to issue such bonds, pursuant to which the Debtors agreed to indemnify the Issuers from any loss, cost, damage, or expense they may incur by reason of the Issuers’ issuance

of the Surety Bonds on behalf of the Debtors. To further secure those indemnification obligations, the Debtors have posted \$2.5 million in cash, provided by Foresight Energy Services LLC, to INIC, who holds such amounts as collateral for the Debtors' indemnification obligations. In addition, the Indemnity Agreements permit the Issuers to request additional collateral from the Debtors. As of the Petition Date, INIC has requested additional cash collateral to secure the Surety Bonds that it has issued, with such request made in connection with it taking on the Surety Bonds at the end of 2019. By this Motion, the Debtors seek the authority to honor the Indemnity Agreement, including the ability to pay additional cash collateral in an amount not to exceed \$2 million and the payment of the fees thereunder as Surety Bond Obligations, in their sole discretion.

C. The Surety Broker

13. The Debtors obtain a majority of their Surety Bonds through their broker, The Reschini Group (the "Surety Broker"). The Surety Broker assists the Debtors with sourcing, evaluating, and paying the premiums for Surety Bonds, and negotiates with Issuers on behalf of the Debtors to obtain new or replacement Surety Bonds on favorable terms. The Debtors compensate the Surety Broker by paying a percentage fee based on the amount of procured surety bonds (the "Broker's Fees"). These Broker's Fees are paid to the Surety Broker as a portion of the Surety Bond Obligations, which the Surety Broker retains, and then remits the Surety Bond Obligations to the Issuers accordingly. As of the Petition Date, the Debtors do not believe they owe any prepetition Broker's Fees. Accordingly, to ensure uninterrupted coverage under the Surety Bond Program, the Debtors seek authority to honor any prepetition amounts owed in connection with the Broker's Fees, and to pay any Broker's Fees that may arise on a postpetition basis in the ordinary course of business.

Basis for Relief Requested

**A. Payments Made in Respect of the Debtors’
Surety Bond Program Are Ordinary Course Transactions**

14. Section 363(c) of the Bankruptcy Code authorizes a debtor in possession operating its business pursuant to section 1108 of the Bankruptcy Code to “enter into transactions . . . in the ordinary course of business . . . and [to] use property of the estate in the ordinary course of business without notice or a hearing.” 11 U.S.C. § 363(c)(1). Section 363 of the Bankruptcy Code provides a debtor with the flexibility to engage in the ordinary course transactions required to operate its business without oversight by its creditors or the court. *See, e.g., In re Roth Am., Inc.*, 975 F.2d 949, 952 (3d Cir. 1992) (“Section 363 is designed to strike [a] balance, allowing a business to continue its daily operations without excessive court or creditor oversight and protecting secured creditors and others from dissipation of the estate’s assets.”) (citations omitted). In determining whether a transaction is in the ordinary course of business, courts in this circuit and elsewhere have held that a transaction qualifies as in the “ordinary course” if it “is of a type that is commonly undertaking within the debtor’s industry,” *Peltz v. Gulfcoast Workstation Grp. (In re Bridge Info. Sys., Inc.)*, 293 B.R. 479, 486 (Bankr. E.D. Mo. 2013), and is consistent with the reasonable expectations of creditors. *See Johnston v. First St. Cos. (In re Waterfront Cos.)*, 56 B.R. 31, 35 (Bankr. D. Minn. 1985); *see also In re Drexel Burnham Lambert Grp., Inc.*, 157 B.R. 532, 537 (S.D.N.Y. 1993) (“[T]he touchstone of ordinariness is thus the interested parties’ reasonable expectations of what transactions the debtor in possession is likely to enter in the course of its business.”).

15. The Surety Bond Program is ordinary for the type, size, and nature of the Debtors’ businesses, and is accordingly also consistent with the reasonable expectations of creditors, who would expect the Debtors to continue complying with their obligations under law.

Moreover, the Surety Bond Program is consistent with industry practice. Other coal mining businesses have sought court approval to continue their surety programs to remain in compliance with applicable laws that require the procurement surety bonds to permit mining operations. *See, e.g., In re Murray Energy Holdings Co.*, No. 19-56885 (JEH) (Bankr. S.D. Ohio Oct. 31, 2019) (D.I. 99) (authorizing the continuation of the debtors' surety program in the ordinary course); *In re Blackhawk Mining LLC*, No. 19-11595 (LSS) (Bankr. D. Del. Aug. 9, 2019) (D.I. 164) (similar); *In re Mission Coal Co., LLC*, No. 18-04177 (TOM) (Bankr. N.D. Ala. Nov. 21, 2018) (D.I. 310) (similar); *In re Westmoreland Coal Co.*, No. 18-35672 (DRJ) (Bankr. S.D. Tex. Nov. 15, 2018) (D.I. 514) (similar); *In re Peabody Energy Corp.*, No. 16-42529 (BSS) (Bankr. E.D. Mo. May 18, 2016) (D.I. 542) (similar); *In re Arch Coal, Inc.*, No. 16-40120 (CER) (Bankr. E.D. Mo. Jan. 14, 2016) (D.I. 90) (similar).

16. Therefore, the Debtors believe that they are permitted to pay all postpetition amounts due pursuant to the Surety Bond Program, to renew existing Surety Bonds or obtain new Surety Bonds, and to post additional cash collateral in an amount not to exceed \$2 million in favor of the existing or any new Issuers to secure any Surety Bonds in the Surety Bond Program, including in connection with either the maintenance or renewal of any existing Surety Bonds or the entry into new Surety Bonds, as such actions are in the ordinary course of the Debtors' businesses.

B. The Court Should Authorize the Debtors to Continue the Surety Bond Program and to Pay Any Surety Bond Obligations

17. Notwithstanding the Debtors' belief that the Surety Bond Program is within the ordinary course of their businesses and that they can continue this program without notice and a hearing, the Debtors request that the Court enter the interim and final orders authorizing the Debtors to continue the Surety Bond Program to ensure that the Issuers do not

terminate or decline to renew the Surety Bonds or refuse to enter into Surety Bonds with the Debtors in the future.

18. Sections 105(a) and 363(b) of the Bankruptcy Code authorize the requested relief. Section 105(a) of the Bankruptcy Code allows the Court to “issue any order, process, or judgment that is necessary or appropriate to carry out the provisions of [the Bankruptcy Code.]” 11 U.S.C. § 105(a). It permits a bankruptcy court to take whatever action “is appropriate or necessary in aid of the exercise of its jurisdiction.” 2 COLLIER ON BANKRUPTCY ¶ 105.01. Similarly, section 363(b)(1) of the Bankruptcy Code authorizes a debtor to use property of the estate other than in the ordinary course of business after notice and a hearing. 11 U.S.C. § 363(b)(1); *see also In re Apex Oil Co.*, 92 B.R. 847 (Bankr. E.D. Mo. 1988).

19. The well-settled “doctrine of necessity” also supports the requested relief. This rule authorizes postpetition payment of prepetition obligations where necessary to preserve or enhance the value of a debtor’s estate for the benefit of all creditors. The Supreme Court of the United States first articulated the doctrine of necessity more than a century ago in affirming the authorization of using receivership funds to pay pre-receivership debts owed to employees, vendors, and suppliers, among others, when such payments were necessary to preserve the receivership property and the integrity of the business in receivership. *See, e.g., Miltenberger v. Logansport, C. & S.W. Ry. Co.*, 106 U.S. 286, 309–11 (1882). The Court’s power to utilize the doctrine of necessity in chapter 11 cases derives from the Court’s inherent equity powers and its statutory authority to “issue any order, process, or judgment that is necessary or appropriate to carry out the provisions of this title.” *See, e.g.*, 11 U.S.C. § 105(a); *In re Carlson*, 126 F.3d 915, 920 (7th Cir. 1997) (“Section 105(a) gives the bankruptcy court the authority to issue any order

necessary to carry out the provisions of the Bankruptcy Code.”); *In re Chinichian*, 784 F.2d 1440, 1443 (9th Cir. 1986) (“Section 105 sets out the power of the bankruptcy court to fashion orders as necessary pursuant to the purposes of the Bankruptcy Code.”); *In re NWFX, Inc.*, 864 F.2d 588, 590 (8th Cir. 1988) (“The overriding consideration in bankruptcy, however, is that equitable principles govern . . .”).

20. This doctrine of necessity functions in a chapter 11 reorganization as a mechanism by which the bankruptcy court can exercise its equitable power to allow payment of critical prepetition claims not explicitly authorized by the Bankruptcy Code. *See In re Wehrenberg, Inc.*, 260 B.R. 468 (Bankr. E.D. Mo. 2001) (“Pursuant to 11 U.S.C. § 105(a) the Court may authorize the payment of prepetition claims when such payments are necessary to the continued operation of the Debtor”); *see also In re Bos. & Me. Corp.*, 634 F.2d 1359, 1382 (1st Cir. 1980) (recognizing the existence of a judicial power to authorize trustees to pay claims for goods and services that are indispensably necessary to the debtors’ continued operation); *In re Just for Feet, Inc.*, 242 B.R. 821, 824 (D. Del. 1999) (“While the doctrine [of necessity] was not codified in the Bankruptcy Code, courts have used their equitable power under Section 105(a) of the Code to authorize the payment of prepetition claims . . .”). The doctrine is frequently invoked early in a reorganization, particularly in connection with those chapter 11 sections that relate to payment of prepetition claims.

21. The nature of the Debtors’ businesses and the extent of their operations make it necessary for the Debtors to maintain their Surety Bond Program on an ongoing and uninterrupted basis. The nonpayment of any Surety Bond Obligations under the Surety Bond Program could result in the Issuers terminating or declining to renew their Surety Bonds or refusing to provide Surety Bonds to the Debtors in the future. If any Surety Bonds lapse without

renewal, or the Debtors are unable to obtain new Surety Bonds for certain purposes, the Debtors could default on various legal, regulatory, or contractual obligations, which could severely disrupt or otherwise idle the Debtors' operations to the detriment of all parties in interest. For example, failure to maintain the required Surety Bonds could cause the Debtors to be in violation of their obligations under federal or state law.

22. The continuation of the Surety Bond Program, the payment of postpetition obligations arising under the Surety Bond Program, and the posting of new or additional collateral in favor of the existing or any new Issuers to secure any Surety Bonds in the Surety Bond Program, including in connection with either the maintenance or renewal of any existing Surety Bonds or the entry into new Surety Bonds, are therefore necessary to preserving the Debtors' businesses and the value of the Debtors' estates for all stakeholders.

23. Courts in this and other districts have routinely granted relief similar to the relief requested herein in other chapter 11 cases. *See, e.g., In re Payless Holdings LLC*, No. 19-40883-659 (Bankr. E.D. Mo. Feb. 22, 2019) (D.I. 196) (authorizing debtor's continued use of its surety bond program and payment of related obligations); *In re Armstrong Energy, Inc.*, No. 17-47541 (KAS) (Bankr. E.D. Mo. Dec. 1, 2017) (D.I. 206) (same); *In re Peabody Energy Corp.*, No. 16-42529 (BSS) (Bankr. E.D. Mo. May 18, 2016) (D.I. 542) (same); *In re Arch Coal, Inc.*, No. 16-40120 (CER) (Bankr. E.D. Mo. Jan. 14, 2016) (D.I. 90) (same); *see also In re Murray Energy Holdings Co.*, No. 19-56885 (JEH) (Bankr. S.D. Ohio Oct. 31, 2019) (D.I. 99) (same). The Debtors submit that the circumstances of these chapter 11 cases warrant granting similar relief, and that doing so is in the best interests of the Debtors, their estates, their creditors, and their stakeholders, and therefore should be granted.

**C. Relief Is Appropriate under Section 364
of the Bankruptcy Code to the Extent Applicable**

24. Section 364(c) of the Bankruptcy Code permits a debtor unable to obtain unsecured credit allowable in the ordinary course under section 364(a) to obtain credit (a) with priority over any or all administrative expenses specified in sections 503(b) or 507(b); (b) secured by a lien on property of the estate that is not otherwise subject to a lien; or (c) secured by a junior lien on property of the estate that is subject to a lien. To satisfy the requirements of section 364(c) of the Bankruptcy Code, a debtor need only demonstrate “by a good faith effort that credit was not available” to the debtor on an unsecured or administrative expense basis. *Bray v. Shenandoah Fed. Sav. & Loan Assoc. (In re Snowshoe Co.)*, 789 F.2d 1085, 1088 (4th Cir. 1986) (affirming the lower court’s approval of a loan made to the debtor under sections 364(c) and (d)); *In re Sky Valley, Inc.*, 100 B.R. 107, 113 (Bankr. N.D. Ga. 1988), *aff’d sub nom. Anchor Sav. Bank FSB v. Sky Valley, Inc.*, 99 B.R. 117, 120 n.4 (N.D. Ga. 1989) (finding that “it would be unrealistic and unnecessary” to require a debtor to conduct “an exhaustive search for financing” in cases where few lenders would be willing to extend credit). Provided that an agreement to obtain secured credit is consistent with the provisions of, and policies underlying, the Bankruptcy Code, courts grant a debtor considerable deference in exercising its sound business judgment in obtaining such credit. *Bray*, 789 F.2d at 1089–90; *In re Ames Dep’t Stores, Inc.*, 115 B.R. 34, 40 (Bankr. S.D.N.Y. 1990) (“[C]ases consistently reflect that the court’s discretion under section 364 is to be utilized on grounds that permit reasonable business judgment to be exercised so long as the financing agreement does not contain terms that leverage the bankruptcy process and powers or its purpose is not so much to benefit the estate as it is to benefit a party-in-interest.”); *see also Funding Sys. Asset Mgmt. Corp.*

v. *Key Cap. Corp. (In re Funding Sys. Asset Mgmt. Corp.)*, 72 B.R. 87, 88 (Bankr. W.D. Pa. 1987).

25. The Debtors believe that it would be exceedingly difficult to obtain new bonding capacity at this time except on a secured basis, and do not anticipate obtaining new surety bonds on a secured basis during these chapter 11 cases. However, to the extent that the procurement of any new Surety Bond is deemed a secured extension of credit, the Debtors request authority to do so pursuant to section 364(c) of the Bankruptcy Code. The Debtors further submit that, pursuant to section 364(e) of the Bankruptcy Code, any reversal or modification on appeal of this authorization to obtain credit under section 364 should not affect the validity of the debt incurred or any priority of a lien granted.

Processing of Checks and Electronic Funds Transfers Should Be Authorized

26. The Debtors have sufficient funds to pay the amounts described herein in the ordinary course of business by virtue of expected cash flows from ongoing business operations, debtor-in-possession financing, and anticipated access to cash collateral. Also, under the Debtors' existing cash management system, the Debtors can readily identify checks or wire transfer requests as relating to an authorized payment made relating to the prepetition Surety Bond Obligations. Accordingly, the Debtors believe that only checks or wire transfer requests relating to authorized payments will be honored and that this Court should authorize all applicable financial institutions, when requested by the Debtors, to receive, process, honor, and pay any and all checks or wire transfer requests in respect of the relief requested herein.

The Requirements of Bankruptcy Rule 6003 Are Satisfied

27. The Debtors seek immediate authorization for the relief requested in this Motion. Pursuant to Bankruptcy Rule 6003(b), a bankruptcy court cannot grant "a motion to use,

sell, lease or otherwise incur an obligation regarding property of the estate, including a motion to pay all or part of a claim that arose before the filing of the petition” within the first twenty-one (21) days after the petition date unless the relief is “necessary to avoid immediate and irreparable harm.” Fed. R. Bankr. P. 6003(b). For the reasons set forth herein and in the First Day Declarations, the Debtors believe an immediate and orderly transition into chapter 11 is critical to the viability of their operations and that any delay in granting the relief requested could hinder the Debtors’ operations and cause irreparable harm. Furthermore, the failure to receive the requested relief during the first twenty-one (21) days of these chapter 11 cases would severely disrupt the Debtors’ operations at this critical juncture. Accordingly, the Debtors submit that they have satisfied Bankruptcy Rule 6003(b) and therefore respectfully request that the Court approve the relief requested in this Motion on an emergency basis.

Waiver of Bankruptcy Rule 6004(a) and 6004(h)

28. By this Motion, the Debtors request that the Court enter an order providing that notice of the relief requested herein satisfies Bankruptcy Rule 6004(a) and that the Debtors have established cause for a waiver of any stay of the effectiveness of the order approving this Motion under Bankruptcy Rule 6004(h). For the reasons set forth herein and in the First Day Declarations, the Debtors submit that notice of the relief requested herein is appropriate under the circumstances and that ample cause exists to justify a waiver of the fourteen (14) day stay imposed by Bankruptcy Rule 6004(h).

Reservation of Rights

29. Nothing contained herein is intended or should be construed as (a) an admission as to the validity or priority of any claim or lien (or the priority thereof) against the Debtors, (b) a waiver of the Debtors’ or any party in interest’s rights to subsequently dispute or

contest such claim or lien on any grounds, (c) a promise or requirement to pay any claim, (d) an implication or admission that any particular claim is of a type specified or defined in this Motion, (e) a request or authorization to assume or adopt any agreement, contract, or lease under section 365 of the Bankruptcy Code or (f) a waiver of the Debtors' or any other party in interest's rights under the Bankruptcy Code or applicable law. Likewise, if the Court grants the relief sought herein, any payment made pursuant to an order of the Court is not intended to be nor should it be construed as an admission as to the validity of any claim or a waiver of the Debtors' or any party in interest's rights to subsequently dispute or contest such claim.

Notice

30. Notice of this Motion will be provided to: (a) the Office of the United States Trustee for Region 13; (b) counsel to the Ad Hoc First Lien Group; (c) counsel to the Ad Hoc Crossover Group; (d) counsel to the Facilities Agent; (e) counsel to the Term Agent; (f) counsel to the Indenture Trustee; (g) counsel to the collateral trustee under the Debtors' secured debt facilities; (h) counsel to the DIP Agent; (i) counsel to DIP Lenders; (j) counsel to Murray Energy Corporation; (k) counsel to Reserves; (l) counsel to Javelin; (m) counsel to Uniper Global Commodities UK Limited; (n) the Internal Revenue Service; (o) the Securities and Exchange Commission; (p) the United States Attorney's Office for the Eastern District of Missouri; (q) the state attorneys general for all states in which the Debtors conduct business; (r) the Issuers; (s) the Obligees; (t) the Surety Broker; and (u) the holders of the thirty (30) largest unsecured claims against the Debtors, on a consolidated basis; and (v) any party that has requested notice pursuant to Bankruptcy Rule 2002 (collectively, the "Notice Parties"). Notice of this Motion and any order entered hereon will be served in accordance with Rule 9013-3(A)(1) of the Local Rules of Bankruptcy Procedure for the Eastern District of the Missouri

(the “Local Bankruptcy Rules”). In light of the nature of the relief requested herein, the Debtors submit that no other or further notice is necessary.

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WHEREFORE, the Debtors respectfully request entry of the Proposed Orders granting the relief requested herein and such other relief as is just and proper.

Dated: March 10, 2020
St. Louis, Missouri

Respectfully submitted,

ARMSTRONG TEASDALE LLP

/s/ Richard W. Engel, Jr.

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*Proposed Counsel to the Debtors and
Debtors in Possession*

Exhibit A

Schedule of Surety Bonds¹

INIC Bond Number	Debtor	Obligee/Beneficiary	Bond Type	Bond Amount	Premium	Expiration Date
N-6000882	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$79,540.00	\$1,989	12/10/2020
N-6000881	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$60,796.00	\$1,520	2/26/2021
N-6000880	Hillsboro Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$4,100.00	\$124	2/24/2021
N-6000879	Hillsboro Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$600.00	\$124	2/24/2021
N-6000878	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$1,400.00	\$124	2/24/2021
N-6000831	Hillsboro Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$10,375,000.00	\$259,375	12/10/2020
N-6000830	Adena Resources, LLC	Illinois Department of Transportation	Individual Utility Permit Bond	\$50,000.00	\$1,250	12/10/2020
N-6000829	Adena Resources, LLC	Illinois Department of Transportation	Individual Utility Permit Bond	\$25,000.00	\$625	12/10/2020
N-6000828	Adena Resources, LLC	Illinois Department of Transportation	Individual Utility Permit Bond	\$25,000.00	\$625	12/10/2020
N-6000827	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$29,910.00	\$748	12/4/2020
N-6000825	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$488,440.00	\$12,211	12/4/2020
N-6000708	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$13,300.00	\$333	12/10/2020
N-6000707	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$8,876.00	\$222	12/10/2020
N-6000706	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$253,500.00	\$6,338	12/10/2020
N-6000705	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$19,316.00	\$483	12/10/2020
N-6000704	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$29,630.00	\$741	12/10/2020
N-6000703	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$21,200.00	\$530	12/10/2020
N-6000702	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$2,100.00	\$125	12/10/2020

¹ Except for those Surety Bonds with bond numbers starting with “SUR”, all Surety Bonds listed on this schedule have been issued by Indemnity National Insurance Co. (“INIC”), as rewritten to INIC from Argonaut Insurance Company (“Argonaut”) as of December 10, 2019. The Surety Bonds with bond numbers starting with “SUR” are remaining, unexpired Argonaut Surety Bonds.

INIC Bond Number	Debtor	Obligee/Beneficiary	Bond Type	Bond Amount	Premium	Expiration Date
N-6000701	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$258,830.00	\$6,471	12/10/2020
N-6000700	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$26,500.00	\$663	12/10/2020
N-6000699	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$79,430.00	\$1,986	12/10/2020
N-6000698	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$8,100.00	\$203	12/10/2020
N-6000697	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$87,200.00	\$2,180	12/10/2020
N-6000696	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$11,000.00	\$275	12/10/2020
N-6000695	Williamson Energy, LLC	County of Williamson, State of Illinois	Performance Bond	\$1,050,000.00	\$26,250	12/10/2020
SUR0028534	Sugar Camp Energy, LLC	Illinois Environmental Protection Agency	Financial Guarantee	\$462,786.00	\$11,570	1/21/2021
N-6000694	Williamson Energy, LLC	County of Williamson, State of Illinois	Performance Bond	\$150,000.00	\$3,750	12/10/2020
N-6000693	Williamson Energy, LLC	Illinois Department of Natural Resources	Financial Security Bond	\$25,000.00	\$625	12/10/2020
N-6000692	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$37,537.00	\$938	12/10/2020
N-6000691	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$15,960.00	\$399	12/10/2020
N-6000690	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$5,300.00	\$133	12/10/2020
N-6000689	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$25,840.00	\$646	12/10/2020
N-6000688	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$28,264.00	\$707	12/10/2020
N-6000687	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$32,760.00	\$819	12/10/2020
N-6000686	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$10,080.00	\$252	12/10/2020
N-6000685	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$2,807.00	\$125	12/10/2020
N-6000684	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$7,440.00	\$186	12/10/2020
N-6000683	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$6,128.00	\$153	12/10/2020
N-6000682	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$46,000.00	\$1,150	12/10/2020
N-6000681	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$27,595.00	\$690	12/10/2020
N-6000680	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$11,548.00	\$289	12/10/2020

INIC Bond Number	Debtor	Obligee/Beneficiary	Bond Type	Bond Amount	Premium	Expiration Date
N-6000679	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$31,384.00	\$785	12/10/2020
N-6000678	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$17,754.00	\$444	12/10/2020
N-6000677	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$9,900.00	\$248	12/10/2020
N-6000676	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$287,500.00	\$7,188	12/10/2020
N-6000675	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$55,387.00	\$1,385	12/10/2020
N-6000674	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$35,449.00	\$886	12/10/2020
N-6000673	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$1,908.00	\$125	12/10/2020
N-6000672	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$4,200.00	\$125	12/10/2020
N-6000671	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$3,090,379.00	\$77,259	12/10/2020
N-6000670	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$3,690.00	\$125	12/10/2020
N-6000669	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$10,620.00	\$266	12/10/2020
N-6000668	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$8,300.00	\$208	12/10/2020
N-6000667	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$5,300.00	\$133	12/10/2020
N-6000666	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$26,800.00	\$670	12/10/2020
N-6000665	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$5,500.00	\$138	12/10/2020
N-6000664	Williamson Energy, LLC	Illinois Department of Transportation	Utility Bond	\$75,000.00	\$1,875	12/10/2020
N-6000663	Williamson Energy, LLC	Illinois Department of Transportation	Utility Bond	\$175,000.00	\$4,375	12/10/2020
N-6000662	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$72,500.00	\$1,813	12/10/2020
N-6000661	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$19,400.00	\$485	12/10/2020
N-6000660	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$8,300.00	\$208	12/10/2020
N-6000659	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$33,100.00	\$828	12/10/2020
N-6000658	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$95,840.00	\$2,396	12/10/2020
N-6000657	Williamson Energy, LLC	Department of the Army, St. Louis District Corps of	Performance Bond	\$274,898.00	\$6,872	12/10/2020

INIC Bond Number	Debtor	Obligee/Beneficiary	Bond Type	Bond Amount	Premium	Expiration Date
		Engineers				
N-6000656	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$6,013,494.00	\$150,337	12/10/2020
N-6000655	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$21,700.00	\$543	12/10/2020
N-6000654	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$53,600.00	\$1,340	12/10/2020
N-6000653	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$368,992.00	\$9,225	12/10/2020
N-6000652	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$37,600.00	\$940	12/10/2020
N-6000651	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$28,220.00	\$706	12/10/2020
N-6000650	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$1,858,337.00	\$46,458	12/10/2020
N-6000649	Williamson Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$4,623,100.00	\$115,578	12/10/2020
N-6000648	Macoupin Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$64,080.00	\$1,602	12/10/2020
N-6000647	Macoupin Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$50,400.00	\$1,260	12/10/2020
N-6000646	Macoupin Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$48,600.00	\$1,215	12/10/2020
N-6000645	Macoupin Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$68,916.00	\$1,723	12/10/2020
N-6000644	Macoupin Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$2,346,260.00	\$58,657	12/10/2020
N-6000643	Macoupin Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$36,100.00	\$903	12/10/2020
N-6000642	Macoupin Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$13,900.00	\$348	12/10/2020
N-6000641	Macoupin Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$356,280.00	\$8,907	12/10/2020
N-6000640	Macoupin Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$1,833,850.00	\$45,846	12/10/2020
N-6000639	Macoupin Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Surety Bond	\$55,160.00	\$1,379	12/10/2020
N-6000638	Macoupin Energy, LLC	Illinois Department of Natural Resources	Financial Security Bond	\$25,000.00	\$625	12/10/2020
N-6000637	Macoupin Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$8,680.00	\$217	12/10/2020
N-6000636	Macoupin Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$22,580.00	\$565	12/10/2020
N-6000635	Macoupin Energy, LLC	Illinois Department of Natural Resources, Office of Mines and	Reclamation	\$339,910.00	\$8,498	12/10/2020

INIC Bond Number	Debtor	Obligee/Beneficiary	Bond Type	Bond Amount	Premium	Expiration Date
		Minerals				
N-6000634	Macoupin Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$8,600.00	\$215	12/10/2020
N-6000633	Macoupin Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$23,860.00	\$597	12/10/2020
N-6000632	Macoupin Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$36,310.00	\$908	12/10/2020
N-6000631	Macoupin Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$5,932,800.00	\$148,320	12/10/2020
N-6000630	Macoupin Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$5,256,500.00	\$131,413	12/10/2020
N-6000629	Macoupin Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$57,600.00	\$1,440	12/10/2020
N-6000628	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$23,600.00	\$590	12/10/2020
N-6000627	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$267,348.00	\$6,684	12/10/2020
N-6000626	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$49,300.00	\$1,233	12/10/2020
N-6000625	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$99,905.00	\$2,498	12/10/2020
N-6000624	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$78,860.00	\$1,972	12/10/2020
N-6000623	Sugar Camp Energy, LLC	Illinois Department of Transportation	Subsidence	\$250,000.00	\$6,250	12/10/2020
N-6000622	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$77,280.00	\$1,932	12/10/2020
N-6000621	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$3,290.00	\$125	12/10/2020
N-6000620	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$147,800.00	\$3,695	12/10/2020
N-6000619	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$2,600.00	\$125	12/10/2020
N-6000618	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$21,330.00	\$533	12/10/2020
N-6000617	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$44,280.00	\$1,107	12/10/2020
N-6000616	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$105,720.00	\$2,643	12/10/2020
N-6000615	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$100,470.00	\$2,512	12/10/2020
N-6000614	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$15,800.00	\$395	12/10/2020
N-6000613	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and	Reclamation	\$1,369.00	\$125	12/10/2020

INIC Bond Number	Debtor	Obligee/Beneficiary	Bond Type	Bond Amount	Premium	Expiration Date
		Minerals				
N-6000612	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$23,100.00	\$578	12/10/2020
N-6000611	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$95,500.00	\$2,388	12/10/2020
N-6000610	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$361,600.00	\$9,040	12/10/2020
N-6000609	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$12,200.00	\$305	12/10/2020
N-6000608	Sugar Camp Energy, LLC	People of the State of Illinois	Reclamation	\$252,930.00	\$6,323	12/10/2020
N-6000607	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$38,600.00	\$965	12/10/2020
N-6000606	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$72,620.00	\$1,816	12/10/2020
N-6000605	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$19,700.00	\$493	12/10/2020
N-6000604	Sugar Camp Energy, LLC	Hamilton County Highway Department	Highway	\$100,000.00	\$2,500	12/10/2020
N-6000603	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$70,800.00	\$1,770	12/10/2020
N-6000602	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$65,600.00	\$1,640	12/10/2020
N-6000601	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$377,000.00	\$9,425	12/10/2020
N-6000600	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$66,100.00	\$1,653	12/10/2020
N-6000599	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$139,420.00	\$3,486	12/10/2020
N-6000598	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$29,650.00	\$741	12/10/2020
N-6000597	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$7,320.00	\$183	12/10/2020
N-6000596	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$78,800.00	\$1,970	12/10/2020
N-6000595	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$15,040.00	\$376	12/10/2020
N-6000594	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$48,200.00	\$1,205	12/10/2020
N-6000593	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$11,700.00	\$293	12/10/2020
N-6000592	Sugar Camp Energy, LLC	Illinois Department of Transportation	Continuous Highway Permit Bond	\$50,000.00	\$1,250	12/10/2020
N-6000591	Sugar Camp Energy, LLC	Illinois Department of Transportation	Continuous Highway	\$50,000.00	\$1,250	12/10/2020

INIC Bond Number	Debtor	Obligee/Beneficiary	Bond Type	Bond Amount	Premium	Expiration Date
			Permit Bond			
N-6000590	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Division of Oil and Gas	Financial Security Bond	\$25,000.00	\$625	12/10/2020
N-6000589	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$33,960.00	\$849	12/10/2020
N-6000588	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$6,180.00	\$155	12/10/2020
N-6000587	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$161,900.00	\$4,048	12/10/2020
N-6000586	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$28,880.00	\$722	12/10/2020
N-6000585	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$13,670.00	\$342	12/10/2020
N-6000584	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$62,960.00	\$1,574	12/10/2020
N-6000583	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$25,180.00	\$630	12/10/2020
N-6000582	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$135,200.00	\$3,380	12/10/2020
N-6000581	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$71,400.00	\$1,785	12/10/2020
N-6000580	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$3,800.00	\$125	12/10/2020
N-6000579	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$49,870.00	\$1,247	12/10/2020
N-6000578	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$24,370.00	\$609	12/10/2020
N-6000577	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$26,820.00	\$671	12/10/2020
N-6000576	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$25,500.00	\$638	12/10/2020
N-6000575	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$8,500.00	\$213	12/10/2020
N-6000574	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$12,120.00	\$303	12/10/2020
N-6000573	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$2,200.00	\$125	12/10/2020
N-6000572	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$2,200.00	\$125	12/10/2020
N-6000571	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$107,632.00	\$2,691	12/10/2020
N-6000570	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$5,879.00	\$147	12/10/2020

INIC Bond Number	Debtor	Obligee/Beneficiary	Bond Type	Bond Amount	Premium	Expiration Date
N-6000569	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$3,200.00	\$125	12/10/2020
N-6000568	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$353,180.00	\$8,830	12/10/2020
N-6000567	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$3,500.00	\$125	12/10/2020
N-6000566	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$2,218.00	\$125	12/10/2020
N-6000565	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$22,900.00	\$573	12/10/2020
N-6000564	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$2,100.00	\$125	12/10/2020
N-6000563	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$8,100.00	\$203	12/10/2020
N-6000562	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$5,600.00	\$140	12/10/2020
N-6000561	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$40,600.00	\$1,015	12/10/2020
N-6000560	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$28,500.00	\$713	12/10/2020
N-6000559	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$17,700.00	\$443	12/10/2020
N-6000558	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$23,700.00	\$593	12/10/2020
N-6000557	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$147,800.00	\$3,695	12/10/2020
N-6000556	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$12,900.00	\$323	12/10/2020
N-6000555	Sugar Camp Energy, LLC	IL, DNR, Office of Mines and Minerals	Reclamation	\$15,600.00	\$390	12/10/2020
N-6000554	Sugar Camp Energy, LLC	IL, DNR, Office of Mines and Minerals	Reclamation	\$50,600.00	\$1,265	12/10/2020
N-6000553	Sugar Camp Energy, LLC	IL, DNR, Office of Mines and Minerals	Reclamation	\$233,380.00	\$5,835	12/10/2020
N-6000552	Sugar Camp Energy, LLC	IL, DNR, Office of Mines and Minerals	Reclamation	\$39,600.00	\$990	12/10/2020
N-6000551	Sugar Camp Energy, LLC	IL, DNR, Office of Mines and Minerals	Reclamation	\$35,800.00	\$895	12/10/2020
N-6000550	Sugar Camp Energy, LLC	IL, DNR, Office of Mines and Minerals	Reclamation	\$46,300.00	\$1,158	12/10/2020
N-6000549	Sugar Camp Energy, LLC	IL, DNR, Office of Mines and Minerals	Reclamation	\$11,340.00	\$284	12/10/2020
N-6000548	Sugar Camp Energy, LLC	IL, DNR, Office of Mines and Minerals	Reclamation	\$38,800.00	\$970	12/10/2020
N-6000547	Sugar Camp Energy, LLC	IL, DNR, Office of Mines and Minerals	Reclamation	\$26,200.00	\$655	12/10/2020
N-6000546	Sugar Camp Energy, LLC	IL, DNR, Office of Mines and Minerals	Reclamation	\$33,670.00	\$842	12/10/2020

INIC Bond Number	Debtor	Obligee/Beneficiary	Bond Type	Bond Amount	Premium	Expiration Date
N-6000545	Sugar Camp Energy, LLC	IL, DNR, Office of Mines and Minerals	Reclamation	\$5,400.00	\$135	12/10/2020
N-6000544	Sugar Camp Energy, LLC	IL, DNR, Office of Mines and Minerals	Reclamation	\$17,300.00	\$433	12/10/2020
N-6000543	Sugar Camp Energy, LLC	Illinois Environmental Protection Agency	Financial Guarantee	\$462,786.00	\$11,570	12/10/2020
N-6000542	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$1,460,400.00	\$36,510	12/10/2020
N-6000541	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$49,003.00	\$1,225	12/10/2020
N-6000540	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$57,800.00	\$1,445	12/10/2020
N-6000539	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$19,760.00	\$494	12/10/2020
N-6000538	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$70,400.00	\$1,760	12/10/2020
N-6000537	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$70,200.00	\$1,755	12/10/2020
N-6000536	Sugar Camp Energy, LLC	Illinois Environmental Protection Agency	Financial Guarantee	\$462,786.00	\$11,570	12/10/2020
N-6000535	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$48,080.00	\$1,202	12/10/2020
N-6000534	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$49,000.00	\$1,225	12/10/2020
N-6000533	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$7,900.00	\$198	12/10/2020
N-6000532	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$66,420.00	\$1,661	12/10/2020
N-6000531	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$22,800.00	\$570	12/10/2020
N-6000530	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$68,860.00	\$1,722	12/10/2020
N-6000529	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$69,840.00	\$1,746	12/10/2020
N-6000528	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$23,500.00	\$588	12/10/2020
N-6000527	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$58,500.00	\$1,463	12/10/2020
N-6000526	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$80,240.00	\$2,006	12/10/2020
N-6000525	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$46,200.00	\$1,155	12/10/2020
N-6000524	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$43,100.00	\$1,078	12/10/2020
N-6000523	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$288,377.00	\$7,209	12/10/2020

INIC Bond Number	Debtor	Obligee/Beneficiary	Bond Type	Bond Amount	Premium	Expiration Date
N-6000522	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$13,300.00	\$333	12/10/2020
N-6000521	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$101,470.00	\$2,537	12/10/2020
N-6000520	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$50,100.00	\$1,253	12/10/2020
N-6000519	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$7,000.00	\$175	12/10/2020
N-6000518	Sugar Camp Energy, LLC	Dept of the Army, St. Louis District Corps of Engineers	Reclamation	\$467,485.00	\$11,687	12/10/2020
N-6000517	Sugar Camp Energy, LLC	IL, DNR, Office of Mines and Minerals	Reclamation	\$23,800.00	\$595	12/10/2020
N-6000516	Sugar Camp Energy, LLC	IL, DNR, Office of Mines and Minerals	Reclamation	\$251,200.00	\$6,280	12/10/2020
N-6000515	Sugar Camp Energy, LLC	IL, DNR, Office of Mines and Minerals	Reclamation	\$16,481,266.00	\$412,032	12/10/2020
N-6000514	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$161,900.00	\$4,048	12/10/2020
N-6000513	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$40,600.00	\$1,015	12/10/2020
N-6000512	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$1,015,423.00	\$25,386	12/10/2020
N-6000511	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$7,125,800.00	\$178,145	12/10/2020
N-6000510	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$33,900.00	\$848	12/10/2020
N-6000509	Savatran, LLC	Illinois Department of Transportation	Individual Utility Permit Bond	\$50,000.00	\$1,250	12/10/2020
N-6000508	Savatran, LLC	Eastern Township	Performance Bond	\$160,000.00	\$4,000	12/10/2020
N-6000507	M Class Mining Health Protection Plan	Jeffrey Watkins and Katelynn Watkins	Appeal Bond	\$1,310,958.00	\$32,774	12/10/2020
N-6000506	Hillsboro Energy, LLC	Illinois Department of Transportation	Reclamation	\$5,000.00	\$125	12/10/2020
N-6000505	Hillsboro Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$33,200.00	\$830	12/10/2020
N-6000504	Hillsboro Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$2,330.00	\$125	12/10/2020
N-6000503	Hillsboro Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$5,500.00	\$138	12/10/2020
N-6000502	Hillsboro Energy, LLC	Illinois Department of Transportation	Road	\$408,590.00	\$10,215	12/10/2020
N-6000501	Hillsboro Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$16,150.00	\$404	12/10/2020
N-6000500	Hillsboro Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$80,750.00	\$2,019	12/10/2020

INIC Bond Number	Debtor	Obligee/Beneficiary	Bond Type	Bond Amount	Premium	Expiration Date
N-6000499	Hillsboro Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$28,500.00	\$613	12/10/2020
N-6000498	Hillsboro Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$25,200.00	\$630	12/10/2020
N-6000497	Hillsboro Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$6,701,424.00	\$167,536	12/10/2020
N-6000496	Hillsboro Energy, LLC	Illinois Department of Transportation	Road	\$157,150.00	\$3,929	12/10/2020
N-6000495	Hillsboro Energy, LLC	Illinois Department of Natural Resources	Reclamation	\$1,723,050.00	\$43,076	12/10/2020
N-6000494	Hillsboro Energy, LLC	Illinois Department of Natural Resources	Reclamation	\$2,617,318.00	\$65,433	12/10/2020
N-6000493	Hillsboro Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$5,900.00	\$148	12/10/2020
N-6000492	Hillsboro Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$218,340.00	\$5,459	12/10/2020
N-6000491	Hillsboro Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$694,458.00	\$17,361	12/10/2020
N-6000490	Hillsboro Energy, LLC	EJ Water Company, LLC	Performance Bond	\$25,000.00	\$625	12/10/2020
N-6000489	Hillsboro Energy, LLC	East Fork Township, IL	Performance Bond	\$100,000.00	\$2,500	12/10/2020
N-6000488	Hillsboro Energy, LLC	City of Hillsboro, IL	Performance Bond	\$100,000.00	\$2,500	12/10/2020
N-6000487	Hillsboro Energy, LLC	Illinois Department of Natural Resources	Financial Security Bond	\$25,000.00	\$625	12/10/2020
N-6000486	Hillsboro Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$65,340.00	\$1,634	12/10/2020
N-6000485	Hillsboro Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$29,800.00	\$745	12/10/2020
N-6000484	Hillsboro Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$92,350.00	\$2,309	12/10/2020
N-6000483	Hillsboro Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$503,500.00	\$12,588	12/10/2020
N-6000482	Hillsboro Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$251,440.00	\$6,286	12/10/2020
M-6000826	Sugar Camp Energy, LLC	Illinois Department of Natural Resources, Office of Mines and Minerals	Reclamation	\$10,960.00	\$274	10/4/2020
SUR0028500	Sugar Camp Energy, LLC	Illinois Environmental Protection Agency	Financial Guarantee	\$462,786.00	\$9,256	8/25/2020
SUR0047513	Hillsboro Energy, LLC	East Fork Township, IL	Performance Bond	\$100,000.00	\$2,000	6/5/2020
SUR0049495	M Class Mining Health Protection Plan	Jeffrey Watkins and Katelynn Watkins	Appeal Bond	\$1,310,958.00	\$32,774	8/10/2020
			Total	\$99,796,540	\$2,493,169	